

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOHN MCCALL and JAMES RAM,)
Plaintiffs,)
vs.) No. 4:10-cv-00269-HEA
MONRO MUFFLER BRAKE, INC.,)
d/b/a AUTOTIRE CAR CARE CENTER,)
and)
AM-PAC TIRE DIST. INC.,)
Defendants.)

**CONSENT MOTION TO AMEND
CASE MANAGEMENT ORDER (DOCS. 29, 62)**

COME NOW Plaintiffs John McCall and James Ram (“Plaintiffs”) and, with Defendants’ consent, move to amend the Case Management Order (Docs. 29 & 62) (“the CMO”). In support, Plaintiffs state as follows:

1. The CMO gives the parties until October 31, 2011 to complete class discovery.
2. At this time, the parties have exchanged written discovery requests and responses and documents. Also, the parties have been working through several discovery issues on an informal basis.
3. Plaintiffs expect that the discovery issues will be resolved and the discovery process (principally, the taking of depositions) completed within the next several months.
4. To accomplish this, Plaintiffs respectfully ask that the Court grant a three-month extension to the class discovery deadline, up to and including January 31, 2012. Plaintiffs ask for this amount of time, taking into account the upcoming holidays, and to help ensure against the need for any additional extension.

5. Pursuant to this proposed schedule, plaintiffs would file their motion for class certification no later than February 29, 2012. Opposition briefs would be filed no later than March 30, 2012, and any reply brief would be filed no later than April 16, 2012. Also, the parties would jointly submit to the Court a proposed Amended Case Management Order within ten (10) days of the Court's ruling on class certification.

WHEREFORE, Plaintiffs, with Defendants' consent, move this Court to amend the CMO as proposed.

Dated: October 28, 2011

Respectfully submitted,

/s/John E. Campbell

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed with the Court using the CM/ECF electronic filing system on this the 28th of October, 2011, to:

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Attorneys for the Defendants

/s/ Erich V. Vieth